

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

STEVEN P. NOLAN, ET AL.

APPLN. NO.: 09/392,869

FILED: SEPTEMBER 9, 1999

CATALYST COMPLEX WITH CARBENE  
LIGAND

CONFIRMATION NO. 1913  
CUSTOMER NO. 2071

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ART UNIT: 1621

EXAMINER: NAZARIO  
GONZALEZ, PORFIRIO

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**FIFTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Attached herewith for consideration by the Examiner is an Information Disclosure Form PTO/SB/08A together with a copy of the single document listed thereon. This German-language Non-Patent Literature document was cited as "D4" in a European Patent Office Official Communication, mailed October 16, 2007, in the counterpart European Application 991 945 604.9-2104, filed on September 9, 1999.

The European Examiner in that Official Communication alleged the relevance of D4 to the patentability of the counterpart application by stating, "Additionally, the newly introduced document **D4** discloses the same complexes as **D3**, as well as their use in olefin metathesis (ROMP and RCM), see pages 151-179 and 220-226." (In this regard, D3 was cited by the European Examiner as the Non-Patent Literature document, Herrmann, W.A.; Weskamp, T.: "A Novel Class of Ruthenium Catalysts for Olefin Metathesis" 11<sup>th</sup> International Symposium On Homogeneous Catalysts, University of St Andrews, Scotland, UK, [Online] 12 July 1998 (1998-07-12), -17 July 1998 (1998-07-17) XP002212735; Retrieved from the Internet: URL:<http://chsg-jrb1.st-and.ac.uk/conferences/ishc/posters/WeskampT.html>> [retrieved on

2002-09-06]. D3 was previously cited in the present application in an Information Disclosure Statement received in the USPTO on February 23, 2001.)

Respectfully Submitted,

/Brenda C. Harvey/

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**CERTIFICATE OF SUBMISSION**

I hereby certify that in accordance with standard business practice, this paper (along with any referred to as being attached or enclosed) is being submitted on the date shown below to the United States Patent Office via EFS-Web.

January 16, 2008  
Date

/Brenda C. Harvey/  
Brenda C. Harvey